THE HON'BLE SRI JUSTICE K.C.BHANU

W.P.NO.12811 OF 2005

Between:

B.Venkata Rao

…….Petitioner

Vs.

The District Collector, Visakhapatnam District, Visakhapatnam and three others

……Respondents

Dt.27.09.2005

O R D E R:

This writ petition is filed by the petitioner for declaring the action of respondents in calling for applications for appointment of FPS No.5 at Narsipatnam without disposing of the representation of the petitioner dated 08.01.2000 as illegal and arbitrary.

It is the case of the petitioner that on 10.03.1997 the third respondent-Revenue Divisional Officer, Narsipatnam, Visakhapatnam inspected the Fair Price Shop of the petitioner and seized all the records and stocks from the shop. In spite of the representation made by the petitioner dated 08.01.2000, the second respondent-Joint Collector, Visakhapatnam issued a notification dated 20.06.2005 calling for fresh applications for the appointment of a new dealer for shop No.5. Hence, this writ petition is filed.

The learned counsel for the petitioner submits that in spite of the representation submitted by the petitioner, dated 08.01.2000 to revise the orders passed by the

respondent authorities, no action was taken by them till now.

The learned counsel for the respondents submits that as the petitioner did not choose to avail an alternative remedy of appeal before the Joint Collector, the order passed by the third respondent-Revenue Divisional Officer cancelling the authorization of the petitioner's fair price shop dealership has become final.

As the writ petition is filed by the petitioner without availing the alternative remedy, the writ petition is devoid of merit and it is accordingly dismissed. No order as to costs.

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K.C.BHANU J.,

Dt.27.09.2005

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